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RCE \$  
AP-1615

PTO/SB/30 (5/2000)  
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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Express Mail No	EV335857914US
Application Number	09/924,222
Filing Date	August 7, 2001
First Named Inventor	Rodrigueza et al.
Group Art Unit	1615
Examiner Name	Gollamudi S. Kishore
Attorney Docket No.	10173-073

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months.  
(Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

- The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed
- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Pennie & Edmonds LLP Deposit Account No. 16-1150:
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e), estimated to be \$ 385.00
- ii. ☒ Extension of time fee required under 37 C.F.R. §§ 1.136 and 1.17, estimated to be \$ 475.00 for a 3 month extension, the request for which is being made herewith
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Anthony M. Insogna	Registration No. (Attorney/Agent)	35,203
Signature	Anthony M. Insogna Reg. No. 35,203	Date	December 3, 2003

Reg. Brian C. Perry Reg. No. 28,176

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Commissioner For Patents, P.O. Box 1450, Mail Stop RCE, Alexandria, VA 22313-1450, or by facsimile transmitted to fax no. 1-703- to the U.S. Patent and Trademark Office on the date indicated below.

Name (Print/Type)		Registration No. (Attorney/Agent)	
Signature		Date	

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Express Mail No.: EV335857914US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: Rodriguez et al.

Confirmation No.: 3425

Application No.: 09/924,222

Group Art Unit: 1615

Filed: August 7, 2001

Examiner: Gollamudi S. Kishore

For: LIPOSOMAL COMPOSITIONS AND METHODS  
OF USING LIPOSOMAL COMPOSITIONS TO TREAT  
DISLIPIDEMIAS

Attorney Docket No.: 10173-073

**AMENDMENT UNDER 37 C.F.R. §1.111 AND REQUEST  
FOR CONTINUED EXAMINATION UNDER 37 C.F.R. § 1.114**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Final Office Action mailed June 3, 2003 the Applicant requests continued examination under 37 C.F.R. § 1.114 and entry of this Amendment under 37 C.F.R. § 1.111. Please enter the following amendments into the file of the above-identified application and consider the remarks below. Applicant submits herewith: (1) a Request For Continued Examination Transmittal (in duplicate), accompanied by the appropriate provision authorizing payment of the required fee; (2) a Terminal Disclaimer, (3) a Terminal Disclaimer Transmittal (in duplicate) accompanied by the appropriate provision authorizing payment of the required fee; (4) a copy of the "Decision Granting Status Under 37 CFR 1.47(a)" and (5) a Petition For Extension of Time (in duplicate) accompanied by the appropriate provision authorizing payment of the required fee.